Remarks

This is in response to the Office Action dated May 24, 2006.

Claims 1 and 19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response to this rejection, claim 1 has been amended to further define and clarify the present invention. As amended, claim 1 now recites non-means elements the support of each of which is provided in the specification. In particular, a video controller 20, a first memory 4, a second memory 5, a third memory 6, a fourth memory 7, a predicting unit 1 and a display control unit 9 – and their respective functions and interrelationships – are clearly shown for example in Figs.1-5 and disclosed on pages 12-19 of the specification.

To remove the lack of antecedent basis for the phase "the total numbers" from contention, claim 1 has been amended to recite "the total of the respective numbers". With this amendment, it is believed that the "total numbers" of sold articles for each of the preceding unit intervals stored in the first memory is now clearly defined.

With the amendment to claim 1, it is respectfully submitted that the 35 U.S.C. 112, second paragraph rejection has been overcome.

Claims 1 and 19 were rejected under 35 U.S.C. 103 (a), as being unpatentable over Aya (US 4,833,608) .

Aya discloses an electronic cash register which records the time when quantity of an item in stock falls to a predetermined number. More specifically, after the completion of the transactions for a day, CPU 1 subtracts the number of items sold from the number of items stocked to provide the number of commodity items remaining in stock. If there is a specific item in which the result of the subtraction is zero, CPU 1 prints a sale time

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representing the particular time when the specific item is sold out. A human manager is informed of the sold-out time by an out-of-stock report 41 with respect to the specific item. Therefore, he can predict the quantity of the specific item to stock on the basis of the sold-out time (see column 3, lines 6-30) .

In Aya, the human being predicts, based on his many year's experience, the quantity of a sold-out item to be stocked for a next day, and this prediction is performed on the basis of only the sold-out time.

In contrast, in the present invention as defined by amended claim 1, a predicting unit of a video controller predicts a total number of articles, which is necessary after a predetermined interval of succeeding consecutive preceding unit intervals, in accordance with the total number of sold articles, the total number of stocked articles, the total number of pending articles and the average number of articles. Therefore, the controller, which is different from a human being, predicts a total number of articles necessary in the future, and this prediction is based on a sold number, a. stocked number, a pending number and an average number of articles.

For the above reasons, it is respectfully submitted that amended claim 1 is now clearly patentably distinguishable from the teachings of Aya. Accordingly, the examiner is respectfully requested to withdraw his rejections and pass the case to issue at an early date.

Respectfully submitted,

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